



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

September 12, 2008

Ref: 8EPR-N

Brent Northrup, Bureau of Land Management  
Moab Field Office RMP Comments  
82 East Dogwood  
Moab, Utah 84532

RE: Final Resource Management Plan and  
Environmental Impact Statement for the  
Moab Field Office Planning Area  
CEQ# 20080287

Dear Mr. Northrup:

Consistent with our responsibilities and authorities under the National Environmental Policy Act and Section 309 of the Clean Air Act (CAA), the Region 8 Office of the U.S. Environmental Protection Agency (EPA) has reviewed the Final Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for the Bureau of Land Management's (BLM) Moab Field Office Planning Area. The BLM manages approximately 1.8 million acres of public lands in Grand County and a portion of San Juan County in southeastern Utah. This RMP will revise and replace the 1985 Grand Resources Area RMP. BLM intends to implement Alternative C to protect important natural resources and promote commodity production and recreation opportunities.

Our review of the Final RMP/EIS focuses on five issues: (1) the lack of information provided regarding air quality impacts from oil and gas development, (2) recommendations to further reduce the environmental impacts resulting from motorized vehicle travel on public lands, (3) recommendations for additional areas to be managed as Areas of Critical Environmental Concern, (4) analysis of the effects of oil and gas development in the planning area on climate change, and (5) analysis of BLM's ability to adapt to the impacts caused by climate change.

**1. Lack of information on air quality impacts from oil and gas development.** The Final RMP/EIS notes that while dispersion air quality modeling was not conducted for this analysis, BLM did assess the general trend in air quality and visibility impacts specific to reasonably foreseeable new sources in the planning area. While the Final RMP/EIS indicates that the projected concentrations would be below National Ambient Air Quality Standards (NAAQS) for criteria pollutants, the absence of detailed dispersion modeling does not provide for confidence that this projection will remain valid. EPA had recommended that BLM provide additional information in the Final RMP/EIS and while some additional analysis and information

regarding air quality was included in Chapter 4 of the FEIS based on EPA comments, the information did not sufficiently support the conclusion that ambient air quality criteria will be protected. Ozone is of particular concern because of the potential emissions of volatile organic compounds and oxides of nitrogen from projected oil and gas development. For example, the monitored data from Canyonlands National Park has shown an increasing trend upwards near EPA's new ozone NAAQS.

Although the Draft RMP/EIS mentions carbon dioxide (CO<sub>2</sub>) as a greenhouse gas that would be emitted by wildfires in the planning area, the document does not address potential effects on climate change in general. The Final RMP/EIS should have included information on these effects from fires and from oil and gas development. Specifically, we restate our recommendation that the BLM encourage oil and gas lessees to participate in EPA's Natural Gas STAR program. Through this program ([www.epa.gov/gasstar](http://www.epa.gov/gasstar)), EPA works with companies who produce natural gas to install cost-effective technologies and practices to reduce emissions of methane, a potent greenhouse gas.

Section 4.3.1.3 summarizes potential impacts to air quality. Oil and gas development is projected to occur at a relatively low rate of about 30 wells per year under the Preferred Alternative C, although this rate of development has been exceeded in recent years. Because of the lack of a numeric modeling approach, it is not possible to determine potential impacts from specific development. EPA recommends that the Record of Decision contain a commitment similar to the following excerpt from the Rawlins, Wyoming Draft RMP/EIS, which used a comparative, emissions-based approach: *"As project-specific developments are proposed, quantitative air quality analysis would be conducted for project-specific assessments performed pursuant to NEPA."*

Comments from several industry sources alleged that BLM does not have any direct authority over air quality or air emissions under the Clean Air Act. In the Final EIS in the response to these comments, the BLM states it agrees it does not have direct authority over air quality or emissions originating on public lands under the Clean Air Act since the State of Utah has primacy for compliance with the CAA. The goal for Air Quality in the Final RMP states that BLM will: "Maintain existing air quality and air quality related values by ensuring that all authorized uses on public lands comply with and support Federal, State, and local laws and regulations for protecting air quality." This response fails to acknowledge the fairly complex set of obligations of the BLM both with respect to regulated criteria pollutants as administered by Utah DEQ and with respect to certain other sources of air pollution not currently regulated under the Clean Air Act. For example, consider that under the following provisions, BLM has the authority to obtain reduced air emissions from actions it approves for third parties operating on public lands: 1) the National Environmental Policy Act and CEQ regulations, 2) the Energy Policy Act of 2005, especially Section 366, 3) the Onshore Oil and Gas Order Number 1, and 4) the Federal Land Policy and Management Act of 1976 in its implementing regulations at 43 CFR § 1610.3-2(a). The BLM's role in fulfilling these obligations is especially critical given that BLM, through its land management decisions, is one of the main agencies affecting air quality and visibility in the intermountain west. We look forward to working with the Moab Field Office in NEPA compliance for future oil and gas developments within this planning area in

order to reduce and minimize both regulated criteria pollutants and other harmful air emissions.

**2. Recommendations to further reduce environmental impacts resulting from motorized vehicle travel on public lands.** The public lands managed by BLM in the Moab area are nationally and internationally renowned for their recreational opportunities, particularly for uses including off-highway vehicles and all terrain vehicles not normally found on city streets. As a result of these cumulatively destructive motorized recreational uses, some of the public lands in the Moab planning area have been significantly adversely impacted. In response, BLM now proposes to restrict off-highway vehicle use to all but one open area, the White Wash Sand Dunes Area, by limiting recreational travel on all other public lands to designated routes. While EPA agrees that this is an important step in the right direction, EPA remains concerned that without a change in the proposed travel and recreational management prescriptions beyond those proposed under Preferred Alternative C, BLM will be unable to adequately control and mitigate ongoing and future impacts to cultural, riparian, and other valuable resources. Preferred Alternative C would allow these vehicles to travel up to 300 feet on each side of the trail. This alternative appears likely to promote misuse by sanctioning off-road motorized uses through open desert terrain which is vulnerable to abuse due to the fragile soil conditions. Given the BLM's limited funding for enforcement, allowing off-road vehicles an option to progress 300 feet on either side of the trail could result in additional adverse impacts, particularly affecting riparian areas and streams. In similar circumstances, the U.S. Forest Service has determined that appropriate discretion must be provided to the local federal land agency officials to limit use of motor vehicles within a specified distance of designated routes only for specific purposes. Consequently, the Forest Service's rule includes a provision which allows the federal land manager to limit the use of motor vehicle use for the purposes of big game retrieval or dispersed camping. Further, it must be recognized that in general the Forest Service will have less difficulty in managing uses of off-highway vehicles on their public lands due to limited vehicular access conditions in densely forested areas. EPA recommends that the BLM rules similarly restrict off-highway vehicles through the Moab planning area to limited uses identical to the provisions of the Forest Service's 2005 Travel Management Rule found at 36 CFR 212.51(b).<sup>1</sup>

**3. Recommendations for additional areas to be managed as Areas of Critical Environmental Concern.** We reiterate our suggestion that specific critical areas be further protected by their designation as Areas of Critical Environmental Concern (ACEC) as noted in our Draft RMP/EIS comments. These areas include White Wash Sand Dunes, Labyrinth Canyon, Upper Courthouse Wash, the Colorado River Corridor, and the Canyon Rims. (See our attached Draft RMP/EIS comments for further explanation.)

**4. Analysis of the effects of oil and gas development in the planning area on climate change.** In our comments on the Draft EIS, EPA suggested that emissions of greenhouse gas (CO<sub>2</sub> and methane) from oil and gas development be included in the Final EIS. While BLM acknowledged the basic body of scientific evidence about the increase in these gases in the atmosphere and their adverse potential effects, BLM responded it would not be able to conduct this type of assessment until the EPA provided the regulatory protocol or emission standards

---

<sup>1</sup> Department of Agriculture, Forest Service, "Travel Management; Designated Routes and Areas for Motor Vehicle Use"; Final Rule, November 2005, <http://www.fs.fed.us/recreation/programs/ohv/final.pdf>.

regarding climate change. NEPA requires federal agencies to take a hard look at potential environmental impacts associated with their proposed actions. Lack of regulatory protocol or emission standards for greenhouse gases does not preclude BLM from fulfilling this responsibility. Analysis of greenhouse gas emissions will still be needed for future NEPA compliance regarding the approval of oil and gas operations in the Moab planning area.

We recommend implementation of EPA's developed best management practices and other technologies and practices pursuant to our Natural Gas Star program since many of these air emission controls that reduce methane, a significant greenhouse gas, also tend to increase the maximum economic recovery of federally-leased natural gas resources.

**5. Analysis of BLM's ability to adapt to the impacts caused by climate change.**

Several commenters on the Draft EIS suggested that BLM assess how the BLM might adapt its land management plans to respond to climate change. In the Final EIS, BLM acknowledges that the assessment of climate change is in its formative stage and thus it is not now possible for BLM to understand the impact on a regional or local scale, nor develop plans to adapt to a changing climate. We recommend that BLM work with other agencies that have recently developed predictive analysis for areas within or near the Moab planning area. In particular, we invite the BLM to consider ways to reduce dust that may impact early on- set of snow melt within the Colorado River drainage and continuation of BLM's on-going role in removing water-consuming invasive plants. See, for example, the analysis provided by the National Resource Council regarding responses to the lower stream flow potential on the Colorado River.<sup>2</sup>

EPA recognizes the complexity and diversity of the proposed resource management actions and supports BLM's intention to move forward to implement a new RMP plan based on emerging issues and changing circumstances. We expect that planning issues discussed in our comments will continue to be among those monitored as the plan is implemented. If you would like to discuss these comments, or any other issues related to our review of the Final RMP/EIS, please contact Weston Wilson at 303-312-6562. Thank you for the opportunity to comment.

Sincerely,

*original signed by:*

/s/ Larry Svoboda  
Director, NEPA Program  
Office of Ecosystems Protection and Remediation

Enclosure: EPA comments on the Draft RMP/EIS, December 12, 2007

---

<sup>2</sup> Colorado River Basin Water Management: Evaluating and Adjusting to Hydroclimatic Variability, Committee on the Scientific Bases of Colorado River Basin Water Management, National Research Council, 2007, <http://www.onthecolorado.com/Resources/ClimateDocs/NAS2007.pdf>